

CITY COUNCIL STAFF REPORT

DATE:

March 5, 2014

PUBLIC HEARING

SUBJECT:

DOS PALMAS DEVELOPMENT LLC FOR TENTATIVE PARCEL MAP 36693 TO SUBDIVIDE ONE LARGE PARCEL INTO TWO LOTS RESULTING IN A 10,070-SQUARE FOOT LOT AND A REMAINDER LOT APPROXIMATELY 58,831-SQUARE FEET AT THE CORNER OF EAST SUNNY DUNES ROAD AND SOUTH SUNRISE WAY, ZONE R-1-C AND

RMHP, SECTION 23.

CASE:

TPM 36693

FROM:

David H. Ready, City Manager

BY:

Department of Planning Services

SUMMARY

The City Council to review a request for a Tentative Parcel Map to subdivide one large parcel into two lots resulting in a 10,070-square foot lot and a remainder lot approximately 58,831-square feet.

RECOMMENDATION:

Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, FOR TENTATIVE PARCEL MAP 36693 TO SUBDIVIDE ONE LARGE PARCEL INTO TWO LOTS RESULTING IN A 10,070-SQUARE FOOT LOT AND A REMAINDER LOT APPROXIMATELY 58,831-SQUARE FEET AT THE CORNER OF EAST SUNNY DUNES ROAD AND SOUTH SUNRISE WAY, ZONE R-1-C AND RMHP, SECTION 23"

PRIOR ACTIONS:

On February 12, 2014, the Planning Commission reviewed and recommended approval of Tentative Parcel Map 36693 to subdivide one large parcel into two lots resulting in a 10,070-square foot lot and a remainder lot approximately 58,831-square feet.

BACKGROUND:

NACTICIO DI KOLE	ant City Actions by Planauter File Styllding Set: \$2.42
10/8/2008	Planning Commission reviews and approves a request for TTM 28306 to
	subdivide one large lot into 7 single-family lots with one remainder lot.
12/17/2008	City Council approves request to subdivide one large lot into 7 single-
	family lots with one remainder lot.
2013	Construction begins on 7 new homes within TTM 28306.
2/12/2014	Planning Commission conducts a public hearing for TPM 36693 to
	subdivide on larger lot into two lots and to recommend approval to City
	Council.

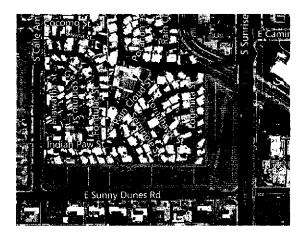
Section Contracts	www.sea.secv.al/losikReigijid0Wijasijiji
2012	Dos Palmas Development LLC

Neighberhood Nottification / //
Email notification was sent to representatives of Warm Sands, Tahquitz
River Estates, Deepwell, Sonora Sunset, and Baristo Neighborhood
Organizations

	Fleid Gheck Late Control of the Cont
January 2014	Staff visited site to observe existing conditions

#F 578 3-17 (4.24)	Notification to tree the second training
2/1/2014	Notice sent to all property owners within 500 feet of subject site

	* Details of Application Request 1. 1. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2.
Net Area	10,071-square feet – Lot 1 58,831-square feet – Remainder Lot



Subject Site: Corner of East Sunny Dunes Road and South Sunrise Way

Singovijstelijoj Iskoieteikk	ាភៈ(សហកម្ម ចំបាត់គ្រា ដេក្សា សមាត្រាត់សេក្ស	Existing Land Use	Existing Zonjing Designations
Subject Property	VLDR (Very Low Density Residential)	Single-Family Residential - Vacant	R-1-C (Single-Family)/ RMHP (Residential Mobile Home Park)
North	MDR (Medium Density Residential)	Residential Mobile Home Park	RMHP (Residential Mobile Home Park)
South	VLDR (Very Low Density Residential)	Single-Family Residential	R-1-C (Single-Family Residential)
East	Public (Church)	Desert Chapel Church	PD - Church
West	VLDR (Very Low Density Residential)	Single-Family Residential	R-1-C (Single-Family Residential)

DEVELOPMENT STANDARDS:

	R-1-C	Proposed Project
Lot Area	10,000 – sq. ft.	10,070- sq. ft. (conforms)
Lot Width	100 feet	100 feet (conforms)
Lot Depth	100 feet	100.70 feet (conforms)
Front Yard	25 feet	25 feet (conforms)
Side Front Yard	10 feet	10 feet (conforms)
Rear Yard	15 feet	15 feet (conforms)
Building Height	12 feet at setback line to	New construction (conforms)
(max.)	max 18 at a 4:12 slope	
Bldg. Coverage	35% lot coverage	New construction (conforms)
House / Garage	1,100 – sq ft	New construction (conforms)
Off-street parking	2 covered spaces	2 covered provided (conforms)

PROJECT DESCRIPTION:

The applicant is seeking approval to subdivide one (1) large lot into one 10,070-square foot lot and one (1) 58,831-square foot remainder lot. Dos Palmas Development is currently developing the adjacent seven single-family lots along East Sunny Dunes Road commonly known as Alexander Estates III. The developer intends to build a single-family residence on the vacant 10,070-square foot lot which is flat and partially graded. Access to the new single-family lot will be from a new driveway consistent with other lots in the immediate neighborhood. The construction of sidewalks and other connections to public water and sewer will be part of the conditions of approval. The remainder vacant lot is currently zoned Residential Mobile Home Park (RMHP) and will continue in its current state until such time as a new development proposal is submitted.

ANALYSIS:

Tentative Parcel Map

Findings are required for the proposed subdivision pursuant to Section 66474 of the California Subdivision Map Act. If any of these findings are not met, the City shall deny approval:

a. That the proposed Tentative Parcel Map is consistent with all applicable general and specific plans.

The TPM proposes one single-family residential lot with one remainder lot adjacent to the public street. The proposed lot sizes meet the density requirement for Very Low Density Residential (VLDR) consistent with the General Plan land use designation. No specific plans are associated with the subject property. The proposed map is consistent with the applicable general plan, and this finding has been met.

b. The design and improvements of the proposed Tentative Parcel Map are consistent with the zone in which the property is located.

The proposed subdivision is consistent with the R-1-C and RMHP zones in which the property is located. The new single-family residential lot will equal 10,070-square feet with the required lot dimensions and minimum density consistent with the R-1-C zone. The remainder lot equaling approximately 58,831-square feet will satisfy the requirements of the RMHP zone awaiting future development. The design of the proposed subdivision is consistent with the applicable zoning and the finding has been met.

c. The site is physically suited for this type of development.

A portion of the project site will be graded to accommodate construction of a single-family residence. Site modifications include the placement of a new sidewalk along the street and private driveway from East Sunny Dunes Road providing adequate vehicular access to the public street. The site is physically suited for this type of development and the finding has been met.

d. The site is physically suited for the proposed density of development.

The proposed project of one single-family dwelling unit of 10,070-square feet or roughly 4.0 du/ac is consistent with the allowable density under the General Plan. The site abuts improved public streets with existing utilities and right-of-way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service (LOS).

e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.

The Tentative Parcel Map has been reviewed under the California Environmental Quality Act, and subsequent to Section 15315 is considered Categorically Exempt as a "Minor Land Division" located in an urbanized residential area of four or fewer parcels. The proposed subdivision is consistent with the General Plan with no variances or exceptions required. The site is a flat lot with an average slope less than 20% and does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The private driveway will provide access to the subject lot. The remainder lot will not have direct access to public utilities or streets until such time the lot is developed.

g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

ENVIRONMENTAL DETERMINATION:

Pursuant to Section 15315 of the California Environmental Act (CEQA), the project is considered a "Minor Land Division" and is Categorically Exempt. The preparation of further environmental assessment is not necessary since the proposed subdivision meets the standards as stated above. The present request will not result in any new environmental impacts.

FISCAL IMPACT:

No fiscal impact.

M. Margo Wheeler, AICP

Director of Planning Services

David H. Ready, City Manager

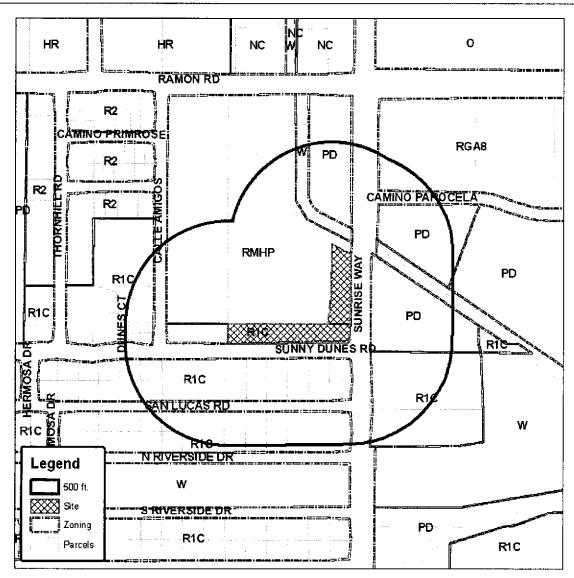
Attachments:

- 1. 500' Vicinity Map
- Draft Resolution
- 3. Planning Commission Resolution # 6382
- 4. Justification Letter from Applicant
- 5. TPM 36693



Department of Planning Services Vicinity Map





CITY OF PALM SPRINGS

<u>CASE NO</u>: TPM 36693

APPLICANT: Dos Palmas Development,

LLC

<u>DESCRIPTION:</u> A Tentative Parcel Map to subdivide one large lot into two lots resulting in a 10,000-square foot lot and an approximately 58,900-square foot lot at the corner of East Sunny Dunes Road and South Sunrise Way, Zone R-1-C, Section 23.

. . .

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA FOR APPROVAL OF CASE TPM 36693, A TENTATIVE PARCEL MAP TO SUBDIVIDE ONE LARGE LOT INTO TWO LOTS RESULTING IN A 10,070-SQUARE FOOT LOT AND A REMAINDER LOT APPROXIMATELY 58,831-SQUARE FEET LOCATED AT THE CORNER OF EAST SUNNY DUNES ROAD AND SOUTH SUNRISE WAY, ZONE R-1-C AND RMHP, SECTION 23, APN 508-240-011.

WHEREAS, Dos Palmas Development LLC ("the applicant") has filed an application with the City pursuant to Chapter 9.62 of the City's Municipal Code (Maps) and Section 66474 of the State of California Subdivision Map Act, for a Tentative Parcel Map proposing to subdivide one large lot into two lots; and

WHEREAS, the applicant submitted an application to Title 9 of the Palm Springs Municipal Code and Section 66474 of the California Subdivision Map Act for Tentative Parcel Map 36693; and

WHEREAS, a notice of public hearing of the Planning Commission of the City of Palm Springs to consider Case TPM 36693 was given in accordance with applicable law; and

WHEREAS, on February 12, 2014, a public meeting on Case TPM 36693 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, at said meeting the Planning Commission carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the Staff report, and all written and oral testimony presented and voted 7-0 to recommend approval of the Tentative Parcel Map by Resolution, subject to Conditions of Approval; and

WHEREAS, City has evaluated the project pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined that the project is Categorically Exempt from further analysis pursuant to Section 15315 of the CEQA guidelines (Minor Land Divisions); and

WHEREAS, notice of public hearing of the City Council of the City of Palm Springs to consider TPM 36693 was given in accordance with applicable law; and

WHEREAS, the City Council has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

Resolution No. Page 2

- Section 1: Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the City Council adopts a Class 15 Categorical Exemption (Minor Land Division) for the proposed parcel map.
- Section 2: Pursuant to Municipal Code Chapter 9.64 (Maps) and the State of California Subdivision Map Act Section 66474, the City Council finds as follows:
 - a. That the proposed Tentative Parcel Map is consistent with all applicable general and specific plans.

The TPM proposes one single-family residential lot with one remainder lot adjacent to the public street. The proposed lot sizes meet the density requirement for Very Low Density Residential (VLDR) consistent with the General Plan land use designation. No specific plans are associated with the subject property. The proposed map is consistent with the applicable general plan, and this finding has been met.

b. The design and improvements of the proposed Tentative Parcel Map are consistent with the zone in which the property is located.

The proposed subdivision is consistent with the R-1-C and RMHP zones in which the property is located. The new single-family residential lot will equal 10,070-square feet with the required lot dimensions and minimum density consistent with the R-1-C zone. The remainder lot equaling approximately 58,831-square feet will satisfy the requirements of the RMHP zone awaiting future development. The design of the proposed subdivision is consistent with the applicable zoning and the finding has been met.

c. The site is physically suited for this type of development.

A portion of the project site will be graded to accommodate construction of a single-family residence. Site modifications include the placement of a new sidewalk along the street and private driveway from East Sunny Dunes Road providing adequate vehicular access to the public street. The site is physically suited for this type of development and the finding has been met.

d. The site is physically suited for the proposed density of development.

The proposed project of one single-family dwelling unit of 10,070-square feet or roughly 4.0 du/ac is consistent with the allowable density under the General Plan. The site abuts improved public streets with existing utilities and right-of-way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service.

Resolution No. Page 3

e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.

The Tentative Parcel Map has been reviewed under the California Environmental Quality Act, and subsequent to Section 15315 is considered Categorically Exempt as a "Minor Land Division" located in an urbanized residential area of four or fewer parcels. The proposed subdivision is consistent with the General Plan with no variances or exceptions required. The site is a flat lot with an average slope less than 20% and does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The private driveway will provide access to the subject lot. The remainder lot will not have direct access to public utilities or streets until such time the lot is developed.

g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the City Council approves Case TPM 36693 a Tentative Parcel Map subdividing one large lot into two lots resulting in a 10,070-square foot lot and a remainder lot approximately 58,831-square feet at the corner of East Sunny Dunes and South Sunrise Way; subject to the attached conditions set forth in Exhibit A.

ADOPTED this 5th day of March 2014.

David H. Ready, City Manage

Resolution No. Page 4	
STATE OF CALIFORNIA) COUNTY OF RIVERSIDE) ss. CITY OF PALM SPRINGS)	
· · · · · · · · · · · · · · · · · · ·	Clerk of the City of Palm Springs, hereby certify that nd correct copy, and was duly adopted at a regular by of Palm Springs on,
AYES: NOES: ABSENT: ABSTAIN:	
	James Thompson, City Clerk City of Palm Springs, California

RESOLUTION NO. 6382

file

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA RECOMMENDING APPROVAL BY THE CITY COUNCIL OF CASE TPM 36693, A TENTATIVE PARCEL MAP TO SUBDIVIDE ONE LARGE LOT INTO TWO LOTS RESULTING IN A 10,070-SQUARE FOOT LOT AND A REMAINDER LOT APPROXIMATELY 58,831-SQUARE FEET LOCATED AT THE CORNER OF EAST SUNNY DUNES ROAD AND SOUTH SUNRISE WAY, ZONE R-1-C AND RMHP, SECTION 23, APN 508-240-011.

WHEREAS, Dos Palmas Development LLC ("the applicant") has filed an application with the City pursuant to Chapter 9.62 of the City's Municipal Code (Maps) and Section 66474 of the State of California Subdivision Map Act, for a Tentative Parcel Map proposing to subdivide one large lot into two lots; and

WHEREAS, a notice of public hearing for Case TPM 36693 was given in accordance with applicable law; and

WHEREAS, on February 12, 2014, a public meeting on Case TPM 36693 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, City has evaluated the project pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined that the project is Categorically Exempt from further analysis pursuant to Section 15315 of the CEQA guidelines (Minor Land Divisions); and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

- Section 1: Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the Planning Commission recommends that the City Council adopt a Class 15 Categorical Exemption (Minor Land Division) for the proposed parcel map.
- Section 2: Pursuant to Municipal Code Chapter 9.64 (Maps) and the State of California Subdivision Map Act Section 66474, the Planning Commission finds as follows:
 - a. That the proposed Tentative Parcel Map is consistent with all applicable general and specific plans.

The TPM proposes one single-family residential lot with one remainder lot adjacent to the public street. The proposed lot sizes meet the density requirement for Very Low Density Residential (VLDR) consistent with the General Plan land use designation. No specific plans are associated with the subject property. The proposed map is consistent with the applicable general plan, and this finding has been met.

b. The design and improvements of the proposed Tentative Parcel Map are consistent with the zone in which the property is located.

The proposed subdivision is consistent with the R-1-C and RMHP zones in which the property is located. The new single-family residential lot will equal 10,070-square feet with the required lot dimensions and minimum density consistent with the R-1-C zone. The remainder lot equaling approximately 58,831-square feet will satisfy the requirements of the RMHP zone awaiting future development. The design of the proposed subdivision is consistent with the applicable zoning and the finding has been met.

c. The site is physically suited for this type of development.

A portion of the project site will be graded to accommodate construction of a single-family residence. Site modifications include the placement of a new sidewalk along the street and private driveway from East Sunny Dunes Road providing adequate vehicular access to the public street. The site is physically suited for this type of development and the finding has been met.

d. The site is physically suited for the proposed density of development.

The proposed project of one single-family dwelling unit of 10,070-square feet or roughly 4.0 du/ac is consistent with the allowable density under the General Plan. The site abuts improved public streets with existing utilities and right-of-way widths that are projected in the City's 2007 General Plan update to operate at normal levels of service (LOS).

e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.

The Tentative Parcel Map has been reviewed under the California Environmental Quality Act, and subsequent to Section 15315 is considered Categorically Exempt as a "Minor Land Division" located in an urbanized residential area of four or fewer parcels. The proposed subdivision is consistent with the General Plan with no variances or exceptions required. The site is a flat lot with an average slope less than 20% and does not include any natural habitat. The project will therefore not damage or injure fish, wildlife or their habitats.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The design of the proposed subdivision includes connections to all public utilities including water and sewer systems. The private driveway will provide access to the subject lot. The remainder lot will not have direct access to public utilities or streets until

February 12, 2014 Page 3 of 3

such time the lot is developed.

g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby recommends that the City Council approves Case TPM 36693 a Tentative Parcel Map subdividing one large lot into two lots resulting in a 10,070-square foot lot and a remainder lot approximately 58,831-square feet at the corner of East Sunny Dunes and South Sunrise Way, subject to the attached conditions set forth in Exhibit A.

ADOPTED this 12th day of February 2014.

AYES:

Commissioner Calerdine, Commissioner Klatchko, Commissioner 7.

Lowe, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair

Hudson and Chair Donenfeld

NOES:

None

ABSENT:

None

ABSTAIN:

None

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

M. Margo Wheeler, AICP Director of Planning Services

CITY OF PALM SPRINGS

RESOLUTION NO. 6382 APPROVED BY PLANNING COMMISSION
EXHIBIT A Tan 36693 Date 2/12/14 Initial 6m

Case TTM 36693 A two-lot parcel map APPROVED BY CITY COUNCIL

On the corner of East Sunny Dunes Road and South Sunrise Way

Resolution #_____ Ordinance #____

February 12, 2014

APPROVAL SUBJECT TO ALL REQUIRED CONDITIONS BY ABOVE BODIES

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

- ADM 1. <u>Project Description</u>. This approval is for the project described per Case TPM 36693; and the conditions below;
- ADM 2. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 3. <u>Minor Deviations</u>. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 4. Tentative Map. This approval is for Tentative Parcel Map 36693 located on the northwest corner of East Sunny Dunes Road and South Sunrise Way date stamped February 12, 2014. This approval is subject to all applicable regulations of the Subdivision Map Act, the Palm Springs Municipal Code, and any other applicable City Codes, ordinances and resolutions.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case TPM 36693. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter

and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. <u>Time Limit on Approval</u>. Approval of the Tentative Parcel Map (TPM) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

Extensions of time may be approved pursuant to Code Section 9.63.110. Such extension shall be required in writing and received prior to the expiration of the original approval.

ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

ENVIRONMENTAL ASSESSMENT CONDITIONS

ENV 1. Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$50 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid (projects that are Categorically Exempt from CEQA).

- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.
- ENV 3. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.
- ENV 4. <u>Cultural Resource Site Monitoring</u>. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)
- ENV 5. a). A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.
 - b). Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. <u>Outside Storage Prohibited</u>. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 2. <u>No off-site Parking</u>. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.
- PLN 3. Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Department which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approved tentative map:
 - a. Deed restrictions, easements, covenant conditions and restrictions that are to be recorded.
 - b. The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for joint access to the proposed parcels and open space restrictions. The approved documents shall contain a provision which provides that they may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.
- PLN 4. (add any additional conditions imposed by the Planning Commission or City Council here)

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.

SUNNY DUNES ROAD (FRONTAGE OF PROPOSED LOT 1)

- ENG 3. Remove existing street improvements as necessary to construct a driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 4. Construct a 5 feet wide sidewalk behind the curb along the entire frontage to match existing sidewalk to the west in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 5. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

SANITARY SEWER

ENG 6. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.

GRADING

- ENG 7. Submit cut and fill quantities to City Engineer to determine if a Grading Plan is required. If required, the Grading Plan shall be submitted to the Engineering Division for review and approval by the City Engineer prior to issuance of grading permit. If the earthwork quantity is less than 50 cubic yards, a formal grading plan is not required. To qualify for the exemption, a signed original written statement of design earthwork quantities from the owner (or design professional, prepared on company letterhead) shall be provided to the Engineering Division. Exemption of a formal Grading Plan reviewed and approved by the City Engineer does not exempt the applicant from a site grading plan that may be required from the Building Department, or any other requirement that may be necessary to satisfy the California Building Code.
 - a) A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and

shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that has completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at http://www.AQMD.gov. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.

- b) The first submittal of the Precise Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Tentative Parcel Map or site plan; a copy of current Title Report; and a copy of Soils Report.
- ENG 8. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
- ENG 9. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 10. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
 - ENG 11. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal

Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.

- ENG 12. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 13. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 14. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 15. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided even though there may not be a grading plan for the project. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 16. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan (if required), to the Engineering Division prior to construction of any building foundation.
- ENG 17. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

DRAINAGE

- ENG 18. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMP's).
- ENG 19. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

GENERAL

- ENG 20. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.
- ENG 21. All proposed utility lines shall be installed underground.
- ENG 22. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 23. Upon approval of any improvement plan (if required) by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.
- ENG 24. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record

drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

- ENG 25. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 26. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.
- ENG 27. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

MAP

- ENG 28. A Parcel Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Parcel Map to the Engineering Division as part of the review of the Map. The Parcel Map shall be approved by the City Council prior to issuance of building permits.
- ENG 29. In accordance with Government Code 66411.1 (a), all required public improvements shall be listed in an Improvement Certificate on the Parcel Map and clearly noted that the required public improvements will be the minimum development requirements for Parcel 1 of Tentative Parcel Map No. 36693, but shall be completed prior to issuance of a building permit on Parcel 1 of TPM36693.
- ENG 30. Upon approval of a parcel map, the parcel map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file (e00), DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital

data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

- ENG 31. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks (or pedestrian paths of travel) shall be provided by either an additional dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the Sunny Dunes Road frontage of the Parcel 1 of TPM36693.
- ENG 32. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 33. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 34. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

(none at this time)

END OF CONDITIONS

I Paul Hryn of Dos Palmas Development, LLC am the current owner of the remainder parcel of tract map 28308 which is currently undeveloped land zoned R-1-C and R-MHP. I am requesting the approval of Tentative Parcel Map no 36693 which will create one 10,000.50 sq.ft lot in the current R-1-C zoning and one 1.35 AC lot in the same mixed zone of R-1-C / R-MHP. The creation of the R-1-C parcel will adjoin the existing 7 R-1-C lots (TM 28308) previously approved by the City of Palm Springs. Our intention is to construct a mid century modern home of approximately 2200 sq similar to the homes under construction on the 7 lots of TM 28308 to the west along Sunny Dunes. Your approval on this project is greatly appreciated.

Thank you

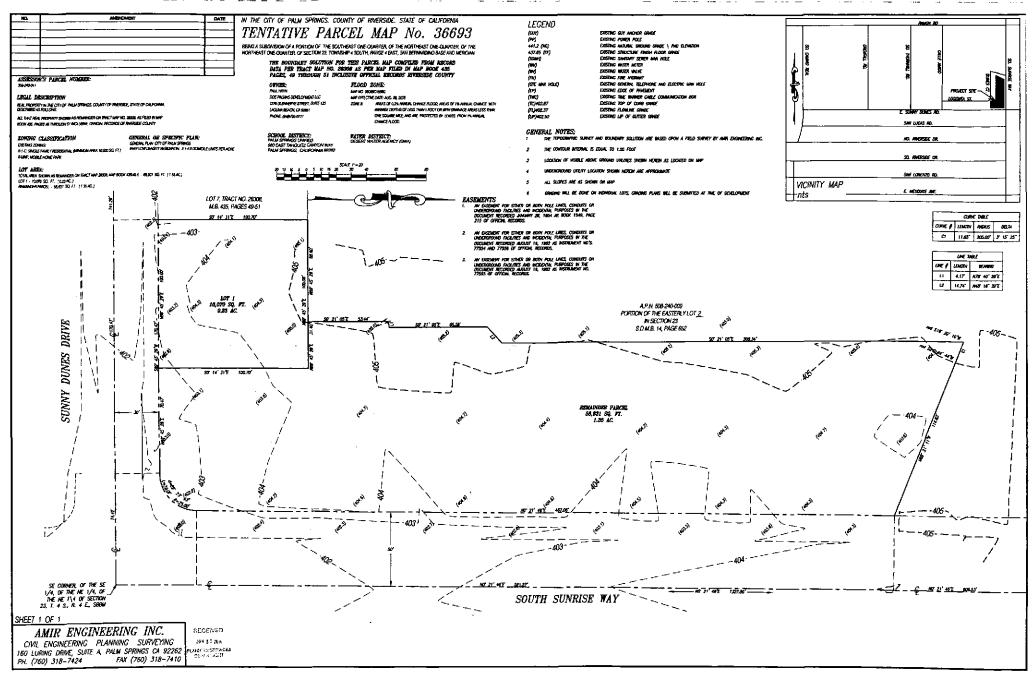
Paul Hryn

Dos Palmas Development, LLC 1278 Glenneyre Street, suite 133 Laguna Beach, Ca 92651 949-795-0777 hrynco@cox.net

RECEIVED

DEC **09** 2013

PLANSING SERVICES
OFFARTMENT



NOTICE OF PUBLIC HEARING CITY COUNCIL CITY OF PALM SPRINGS

TENTATIVE PARCEL MAP 36693 ALEXANDER ESTATES III EAST SUNNY DUNES ROAD AND SOUTH SUNRISE WAY

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of March 5, 2014. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider an application by Dos Palmas Development, LLC for Tentative Parcel Map 36693 to subdivide one large parcel into two lots resulting in a 10,000-square foot lot and an approximately 58,900-square foot lot. The subject site is at the corner of East Sunny Dunes Road and South Sunrise Way.

ENVIRONMENTAL DETERMINATION: The proposed project has been evaluated pursuant to the guidelines of the California Environmental Quality Act (CEQA) and has been deemed "Categorically Exempt" under CEQA Section 15332 "In-Fill Development Projects".

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m. Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

James Thompson, City Clerk 3200 E. Tahquitz Canyon Way Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Glenn Mlaker, Assistant Planner, at (760) 323-8245.

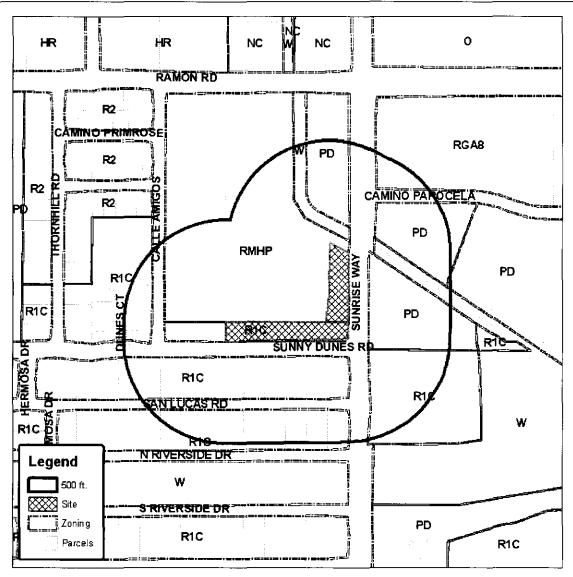
Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.

ames Thompson, City Clerk



Department of Planning Services Vicinity Map





CITY OF PALM SPRINGS

CASE NO: TPM 36693

APPLICANT: Dos Palmas Development,

LLC

<u>DESCRIPTION:</u> A Tentative Parcel Map to subdivide one large lot into two lots resulting in a 10,000-square foot lot and an approximately 58,900-square foot lot at the corner of East Sunny Dunes Road and South Sunrise Way, Zone R-1-C, Section 23.

CITY OF PALM SPRINGS PUBLIC HEARING NOTIFICATION



Date:

March 5, 2014

Subject:

TPM 36693 at E. Sunny Dunes Road and S. Sunrise Way

AFFIDAVIT OF PUBLICATION

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on February 22, 2014.

I declare under penalty of perjury that the foregoing is true and correct.

Cynthia A. Berardi, CMC

Deputy City Clerk

AFFIDAVIT OF POSTING

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk and on February 20, 2014.

I declare under penalty of perjury that the foregoing is true and correct.

Cynthia A. Berardi, CMC

Deputy City Clerk

AFFIDAVIT OF MAILING

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on February 20, 2014, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (232 notices)

I declare upder penalty of perjury that the foregoing is true and correct.

Cynthia A. Pérardi, CMC

Deputy City Clerk



City of Palm Springs

Office of the City Clerk

3200 E. Tahquitz Canyon Way • Palm Springs, CA 92262 Tel: (760) 323-8204 • Fax: (760) 322-8332 • TDD: (760) 864-9527 • Web: www.palmspringsca.gov

February 20, 2014

Ms. Claudia Salgado Bureau of Indian Affairs P. O. Box 2245 Palm Springs, CA 92263

Fax To:

Brenda Diaz

(760) 416-2687

RE:

City Council Meeting - March 5, 2014

Public Hearing Notice - TPM 36693 E. Sunny Dunes Rd. and S. Sunrise Way

Dear Ms. Salgado:

The City Council will be conducting a public hearing at 6:00 p.m. on March 5, 2014, to consider a Tentative Parcel Map to subdivide one large parcel into two lots resulting in a 10,000 square foot lot and an approximately 58,900 square foot lot at E. Sunny Dunes Road and S. Sunrise Way.

I have enclosed copies of the notice for distribution and your file; however, please advise if additional notices are required.

APN	Allotment Number
502-560-039	65C, 66C

Thank you for your continuous assistance and support. Please feel free to contact me at (760) 322-8355 if there are any questions or concerns.

Sincerely,

Cynthia A. Berardi, CMC

Deputy City Clerk

Encl

Public Hearing Notices (5 copies)

Envelopes